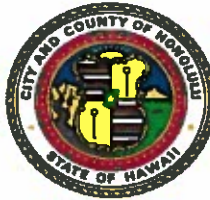


OFFICE OF THE MAYOR
CITY AND COUNTY OF HONOLULU

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KIRK CALDWELL
MAYOR



ROY K. AMEMIYA, JR.
MANAGING DIRECTOR

GEORGETTE T. DEEMER
DEPUTY MANAGING DIRECTOR

September 12, 2018

PROCLAMATION OF EMERGENCY OR DISASTER
(Tropical Storm Olivia)

By the authority vested in me as the Mayor of the City and County of Honolulu, pursuant to the Revised Charter of the City and County of Honolulu 1973 (2017 Edition), ("RCH"); the Revised Ordinances of the City and County of Honolulu 1990, as amended ("**Revised Ordinances of Honolulu**"); and the Hawaii Revised Statutes ("**HRS**"), I, Kirk W. Caldwell, Mayor, hereby proclaim, determine, declare and find the following:

WHEREAS, HRS Section 127A-13(b)(1) provides that, in the event of a state of emergency or disaster in the City and County of Honolulu (the "City"), the Mayor may take action to relieve hardship and inequities or obstructions to the public health by suspending any county law, in whole or in part, or by alleviating the provisions of county laws on such terms and conditions as the Mayor may impose, including county licensing laws, and county laws relating to labels, grades, and standards; and

WHEREAS, HRS Section 127A-13(b)(2) further provides that the Mayor may suspend any county law that impedes or tends to impede, or that may be detrimental to, the health, safety and welfare of the public; and

WHEREAS, HRS Section 127A-12(c)(6), further provides that the Mayor may suspend HRS chapter 103D and HRS sections 103-50, 103-53, 103-55, 105-1 to 105-10, and 464-4, upon certain findings; and

WHEREAS, HRS Section 127A-12(c)(11), further provides that the Mayor may require each public utility, or any person owning, controlling, or operating a critical infrastructure facility as identified by the Mayor, to protect and safeguard its or the person's property, or to provide for the protection and safeguarding thereof; and to provide for the protection and safeguarding of all critical infrastructure and key resources; provided that, without prejudice to the generality of the foregoing two clauses, such protection and safeguarding may include the regulation or prohibition of public entry thereon, or the permission of the entry upon terms and conditions as the Mayor may prescribe; and

WHEREAS, HRS Section 127A-12(c)(17), provides that the Mayor may take any and all steps necessary or appropriate to carry out the purposes of HRS chapter 127A, notwithstanding that powers in section 127A-13(b) may only be exercised during an emergency period; and

WHEREAS, HRS Section 127A-14(b) further provides that the Mayor may declare the existence of a state of emergency in the City by proclamation if the Mayor finds that an emergency or disaster exists or that there is an imminent danger or threat of emergency or disaster; and

WHEREAS, as of the date and time of this Proclamation, the National Weather Service, Honolulu Forecast Office ("NWS"), has issued a Tropical Storm Warning for the City advising of the potential effects of Tropical Storm Olivia (the "**Emergency Condition**"); and

WHEREAS, the NWS anticipates that the most likely impacts resulting from the Emergency Condition will include damaging winds, persistent heavy rains, high surf, possible coastal flooding, and flash floods, causing a threat to human health, safety and welfare and resulting in the need to evacuate residents from some areas; and

WHEREAS, the City's Emergency Operating Center has been or will be activated to coordinate City disaster response activities; and

WHEREAS, the cumulative effects of the Emergency Condition have created or are anticipated to create a public calamity in the City;

NOW, THEREFORE, I, Kirk W. Caldwell, Mayor of the City and County of Honolulu, pursuant to the authority vested in me as the Mayor of the City and County of Honolulu as set forth above, in order to promote and protect the public health, safety, and welfare of the residents of the City and County of Honolulu, do hereby proclaim, determine, declare and find that:

1. a state of emergency or disaster has occurred or there is imminent danger or threat of a state of emergency or disaster in all or any portion of the City, as of the date and time of this Proclamation; and
2. the provisions, in whole or in part, of HRS Chapter 103D and HRS Sections 103-50, 103-53, 103-55, 105-1 to 105-10, and 464-4 impede or tend to impede the expeditious discharge of the functions of emergency management, or that compliance therewith is impracticable due to existing conditions and, therefore, such provisions shall not apply to any action taken in connection with such emergency management functions; and
3. the provisions of the Revised Ordinances of Honolulu, in whole or in part, shall be suspended including, but not limited to, Sections 1-8.2 and 1-8.3 (intergovernmental agreements and private grants), Section 2-3.2(b) (filing lawsuits), and Section 2-3.4 (settlement authority), to the extent that they impede the expeditious discharge of the functions of emergency management or the compliance therewith is impracticable due to the Emergency Condition; and
4. under the provisions of HRS Section 127A-12(c)(14), and in order to provide emergency disaster relief, I hereby direct all county agencies and officers to cooperate with and extend their services, materials, and facilities as may be necessary.

This Proclamation of Emergency or Disaster shall terminate on the first to occur of (1) sixty (60) days after the date of this Proclamation, or (2) issuance of a Declaration of Termination of Emergency issued by the undersigned, whichever occurs first.

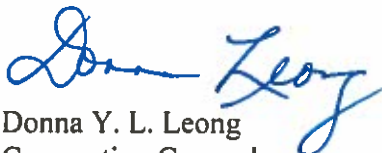


Kirk W. Caldwell, Mayor
City and County of Honolulu

Date: September 12, 2018

Time: _____

APPROVED:



Donna Y. L. Leong
Corporation Counsel